

REMARKS

Summary of the Amendment

Upon entry of the above amendment, claims 1, 9, 12-23, 28-30, 34, 37, 42, 45, 47 and 49-54 will have been amended and claims 55-71 will have been added. Accordingly, claims 1-60 will be pending with claims 1, 12, 15, 16, 17, 21, 28, 29, 30, 34, 37, 42, 45, 47, 51-55 and 59 being in independent form.

Summary of the Official Action

In the instant Office Action, the Examiner objected to claims 28 and 50 on the basis of minor informalities. The Examiner also rejected claims 1-11, 16-23, 25, 26, 30-46 and 51-54 over the art of record. Finally, the Examiner indicated that claim 24 contains allowable subject matter and that claims 12-15, 28, 29 and 27-50 were allowed. By the present amendment and remarks, Applicant submits that the objections and rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Objection to the Claims is moot

Applicant submits that the objection to claims 28 and 50 is moot inasmuch as claims 28 and 50 have been amended consistent with the Examiner's comments.

Accordingly, Applicant respectfully requests that the above-noted objection be withdrawn.

Traversal of Rejections Under 35 U.S.C. § 103(a)

Over Chi and Jeunet

Applicant traverses the rejection of claims 1-11, 16-23, 25, 26, 30-33, 37-46 and 51-53 under 35 U.S.C. § 103(a) as being unpatentable over US patent 5,573,262 to CHI in view of US patent 6,082,754 to JEUNET et al.

The Examiner asserted that CHI teaches all of the claimed features except for the recited limited turning mechanism. However, the Examiner asserts that JEUNET teaches this feature and that it would have been obvious to combine the teachings of these documents. Applicant respectfully traverses this rejection and the Examiner's assertions.

Applicant respectfully submits that this rejection is improper because no proper combination of CHI and JEUNET discloses or suggests: inter alia, a mechanism which limits the rotational movement of the connecting member in each of two directions, the mechanism being arranged on a mudguard, and a locking device that engages an opening in the mechanism, wherein the mechanism and the lower bearing support cooperate to limit the rotational movement of the connecting member, as recited in amended independent claim 1; inter alia, a locking device that, in a locked position, prevents rotational movement of the fork member and that, in an unlocked position, allows rotational movement of the fork member in each of two directions, a system which is arranged at a lower end of the support tube and that limits the rotational movement of the fork member in each of the two directions, wherein the system includes an arcuate projecting part and a recessed part which is configured to receive the arcuate projecting part, and wherein the recessed part is non-rotatably mounted and wherein the arcuate projecting part rotates with the connecting

P24187.A08

member, as recited in amended independent claim 16; inter alia, a mechanism that is rotatable and comprises an opening and at least two stop surfaces arranged on an arcuate projecting portion, the mechanism engaging with the lower bearing support and a movably mounted pin that, in a locking position, engages with the opening in the mechanism, as recited in amended independent claim 17; inter alia, a movable locking member which engages with an opening to prevent rotational movement of the connecting element and which disengages from the opening to allow rotational movement of the connecting element, wherein the opening, the first stop surface and the second stop surface are each arranged on a mudguard, as recited in amended independent claim 21; inter alia, a mechanism that limits rotational movement of the connecting element, the mechanism comprising at least two stop surfaces which engage with first and second stop surfaces of the lower bearing support, wherein the mechanism comprises an arcuate projection, an arc length of the arcuate projection between the at least two stop surfaces being greater than an arc length of a space defined by the at least two stop surfaces, whereby the arcuate projection and the space comprise an arc length equal to a circle, as recited in amended independent claim 30; inter alia, a mechanism that limits rotational movement of the connecting member in each of two directions, the mechanism comprising at least two stop surfaces, and a locking system which utilizes a movable locking member and an opening, as recited in amended independent claim 37; inter alia, a system which limits the rotational movement of the connecting element in each of two directions and a locking system comprising a movable locking member and an opening arranged on the mudguard, as recited in amended independent claim 42; inter alia, a system which limits the rotational

P24187.A08

movement of the fork member in each of two directions and a locking system comprising a movable locking member and an opening, wherein the locking member moves in a direction that is parallel to an axis of the support tube, as recited in amended independent claim 45; inter alia, a mudguard and a movement limiting system that limits rotational movement of the connecting element in each of two directions, wherein the movement limiting system comprises an arcuate recess and an arcuate projection, the arcuate projection having an arc length between two stop surfaces that is greater than an arc length of a space defined by the two stop surfaces of the arcuate projection, whereby the arcuate projection and the space comprise an arc length equal to a circle, and the arcuate recess having an arc length between two other stop surfaces that is greater than the arc length of the arcuate projection, as recited in amended independent claim 51; inter alia, a mechanism which limits rotational movement of the connecting element and a locking system which cooperates with the lower bearing support and which can be moved by a user, as recited in amended independent claim 52; and inter alia, a mudguard comprising a mechanism for limiting rotational movement of the connecting element and an opening; and a locking system which can be moved by a user to engage the opening, as recited in amended independent claim 53.

Applicant does not dispute, for example, that CHI discloses a steering head which utilizes a support tube 31, upper and lower bearing supports 32, a connecting element 30 and a wheel fork (see Fig. 2). However, Applicant submits that Chi relates to a bicycle and not to a tricycle (see col. 1, line 64). Moreover, as acknowledged by the Examiner, this document contains no disclosure with regard to a mechanism which limits rotational

movement of the connecting element and/or with regard to a locking device.

Applicant also does not dispute, for example, that JEUNET discloses a steering head which utilizes a support tube, upper and lower bearing supports, a connecting element, a wheel fork, and a locking device for locking the steering in a straight position (see abstract). However, Applicant submits that JEUNET contains no disclosure with regard to a mechanism which limits rotational movement of the connecting element.

In particular, Applicant submits that no proper combination of CHI and JEUNET discloses or suggests a mechanism which limits the rotational movement of the connecting member in each of two directions, the mechanism being arranged on a mudguard, and a locking device that engages an opening in the mechanism, wherein the mechanism and the lower bearing support cooperate to limit the rotational movement of the connecting member, as recited in amended independent claim 1. As the Examiner will note, neither CHI nor JEUNET disclose or suggest a locking device that engages an opening in a mechanism arranged on the mudguard. To the contrary, Figs. 2-7 of JEUNET show a locking device which utilizes an opening in a mechanism that is mounted to the support tube and a projection which can be arranged on the mudguard (see col. 4, lines 36-39).

Applicant also submits that no proper combination of CHI and JEUNET discloses or suggests a locking device that, in a locked position, prevents rotational movement of the fork member and that, in an unlocked position, allows rotational movement of the fork member in each of two directions, and a system which is arranged at a lower end of the support tube and that limits the rotational movement of the fork member in each of the two directions, wherein the system includes an arcuate projecting part and a recessed part

P24187.A08

which is configured to receive the arcuate projecting part, and wherein the recessed part is non-rotatably mounted and wherein the arcuate projecting part rotates with the connecting member, as recited in amended independent claim 16. As the Examiner will note, neither CHI nor JEUNET disclose or suggest a locking device in combination with a system which is arranged at a lower end of the support tube and that limits the rotational movement of the fork member in each of the two directions, much less, the recited arcuate projecting part. JEUNET only teaches a locking system and lacks these additionally recited features.

Applicant additionally also submits that no proper combination of CHI and JEUNET discloses or suggests a mechanism that is rotatable and comprises an opening and at least two stop surfaces arranged on an arcuate projecting portion, the mechanism engaging with the lower bearing support and a movably mounted pin that, in a locking position, engages with the opening in the mechanism, as recited in amended independent claim 17. As the Examiner will note, neither CHI nor JEUNET disclose or suggest an opening and at least two stop surfaces arranged on an arcuate projecting portion. In JEUNET, the projection 170/220 is not arcuate and does not have an opening.

Applicant further also submits that no proper combination of CHI and JEUNET discloses or suggests a movable locking member which engages with an opening to prevent rotational movement of the connecting element and which disengages from the opening to allow rotational movement of the connecting element, wherein the opening, the first stop surface and the second stop surface are each arranged on a mudguard, as recited in amended independent claim 21. As the Examiner will note, neither CHI nor JEUNET disclose or suggest an opening and two stop surfaces arranged on a mudguard.

P24187.A08

For example, the mudguard 171 in JEUNET does not have an opening and two stop surfaces.

Applicant further also submits that no proper combination of CHI and JEUNET discloses or suggests a mechanism that limits rotational movement of the connecting element, the mechanism comprising at least two stop surfaces which engage with first and second stop surfaces of the lower bearing support, wherein the mechanism comprises an arcuate projection and an arc length of the arcuate projection between the at least two stop surfaces is greater and an arc length of a space defined by the at least two stop surfaces, whereby the arcuate projection and the space comprise an arc length equal to a circle, as recited in amended independent claim 30. As explained above, neither CHI nor JEUNET disclose or suggest an arcuate projection, much less, one having an arc length between the at least two stop surfaces that is greater than an arc length of a space defined by the at least two stop surfaces, whereby the arcuate projection and the space comprise an arc length equal to a circle. In JEUNET, the projection 170/220 is not arcuate and does not have the recited arc length.

Applicant further additionally also submits that no proper combination of CHI and JEUNET discloses or suggests a mechanism that limits rotational movement of the connecting element, the mechanism comprising at least two stop surfaces and a locking system that prevents rotational movement of the connecting element, the locking system comprising a movable engaging member and an opening that can receive the engaging member and which can rotate with the connecting element, wherein the opening is arranged on the mechanism, as recited in amended independent claim 34. As explained

P24187.A08

above, neither CHI nor JEUNET disclose or suggest a locking system in combination with the recited limited turning system. JEUNET only teaches a locking system and lacks the additionally recited features.

Applicant further additionally also submits that no proper combination of CHI and JEUNET discloses or suggests a system which limits the rotational movement of the connecting element in each of two directions and a locking system comprising a movable locking member and an opening arranged on the mudguard, as recited in amended independent claim 42. As noted above, neither CHI nor JEUNET disclose or suggest the recited limited turning system or an opening on a mudguard. JEUNET only teaches a locking system which does not utilize an opening on a mudguard and lacks the additionally recited features.

Applicant also submits that no proper combination of CHI and JEUNET discloses or suggests a system which limits the rotational movement of the fork member in each of two directions and a locking system comprising a movable locking member and an opening, wherein the locking member moves in a direction that is parallel to an axis of the support tube, as recited in amended independent claim 45. Again, neither CHI nor JEUNET disclose or suggest a locking system in combination with the recited limited turning system. JEUNET only teaches a locking system and lacks the additionally recited features.

Applicant also submits that no proper combination of CHI and JEUNET discloses or suggests a mudguard and a movement limiting system that limits rotational movement of the connecting element in each of two directions, wherein the movement limiting system comprises an arcuate recess and an arcuate projection, the arcuate projection having an

P24187.A08

arc length between two stop surfaces that is greater and an arc length of a space defined by the two stop surfaces of the arcuate projection, whereby the arcuate projection and the space comprise an arc length equal to a circle, and the arcuate recess having an arc length between two other stop surfaces that is greater than the arc length of the arcuate projection, as recited in amended independent claim 51. Again, the projection 170/220 in JEUNET is not arcuate and does not have the recited arc length.

Applicant additionally also submits that no proper combination of CHI and JEUNET discloses or suggests a mechanism which limits rotational movement of the connecting element and a locking system which cooperates with the lower bearing support and which can be moved by a user, as recited in amended independent claim 52. Again, neither CHI nor JEUNET disclose or suggest a locking system in combination with the recited limited turning system. JEUNET only teaches a locking system and lacks the additionally recited features.

Finally, Applicant additionally also submits that no proper combination of CHI and JEUNET discloses or suggests a mudguard comprising a mechanism for limiting rotational movement of the connecting element and an opening; and a locking system which can be moved by a user to engage the opening, as recited in amended independent claim 53. Again, neither CHI nor JEUNET disclose or suggest a locking system in combination with the recited limited turning system. JEUNET only teaches a locking system and lacks the additionally recited features.

Thus, even if these documents were properly combined, which Applicant submits they cannot be, they would nevertheless lack features which are recited in at least the

P24187.A08

above-noted independent claims. Moreover, Applicant submits that each of these documents fails to disclose or suggest the requisite motivation or rationale for combining these documents in the manner asserted by the Examiner. Finally, Applicant submits that JEUNET fails to cure the deficiencies lacking in CHI, and vice versa.

Applicant reminds the Examiner of the guidelines identified in M.P.E.P section 2141 which state that "[i]n determining the propriety of the Patent Office case for obviousness in the first instance, it is necessary to ascertain whether or not the reference teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification." *In re Linter*, 458 F.2d 1013, 1016, 173 USPQ 560, 562 (CCPA 1972).

As this section clearly indicates, "[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

Moreover, it has been legally established that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) Although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.' 916 F.2d at 682, 16 USPQ2d at 1432.). See also *In re Fritch*, 972 F.2d

P24187.A08

1260, 23 USPQ2d 1780 (Fed. Cir. 1992) (flexible landscape edging device which is conformable to a ground surface of varying slope not suggested by combination of prior art references)."

Additionally, it has been held that "[a] statement that modifications of the prior art to meet the claimed invention would have been 'well within the ordinary skill of the art at the time the claimed invention was made' because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993)."

Thus, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify either document in view of the other in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify any of these documents, or their combination, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least the above-noted independent claims is not rendered obvious by any reasonable inspection of the disclosures of the applied prior art.

Finally, Applicant submits that claims 2-11, 18-20, 22, 23, 25, 26, 31-33, 39-41 and 43-46 are allowable at least for the reason that these claims depend from an allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of CHI and JEUNET discloses or suggests: that the upper and lower bearing supports are each non-

P24187.A08

rotatably fixed to the support tube as recited in claim 2; that the lower bearing support comprises at least one stop surface as recited in claim 3; that the lower bearing support comprises two stop surfaces as recited in claim 4; that the mechanism comprises at least one stop surface as recited in claim 5; that the mechanism comprises two stop surfaces as recited in claim 6; that the mechanism comprises a linkage element having at least one stop surface as recited in claim 7; that the linkage element rotates with the connecting member as recited in claim 8; that the linkage element and the mudguard comprise a one-piece structure as recited in claim 9; that the connecting member is cylindrically shaped as recited in claim 10; that the steering head further comprises a handlebar connected to one end of the connecting member and a wheel fork connected to another end of the connecting member as recited in claim 11; that the arcuate projecting portion rotates with the cylindrical member and a lower bearing support includes the recessed portion as recited in claim 13; that the arcuate projecting portion is coupled to a mudguard as recited in claim 14; that the mechanism is arranged on a mudguard as recited in claim 18; that the movably mounted pin moves parallel to an axis of the connecting element as recited in claim 19; that the lower bearing support comprises at least two stop surfaces that are engagable with the at least two stop surfaces of the arcuate projecting portion as recited in claim 20; that the first and second stop surfaces rotate with the mudguard as recited in claim 22; that the first and second stop surfaces are disposed on an arcuate projecting portion of the mudguard as recited in claim 23; that the opening rotates with the connecting element as recited in claim 24; that the movable locking member comprises a pin as recited in claim 25; that the first and second stop surfaces moveably engage two stop

P24187.A08

surfaces which do not move as recited in claim 26; that the vehicle steering head further comprises a lower bearing support that comprises the two stop surfaces which do not move, wherein the two stop surfaces which do not move engage the first and second stop surfaces as recited in claim 27; that the mechanism is coupled to a mudguard as recited in claim 31; that the vehicle steering head further comprises a device that engages the mechanism to prevent movement thereof as recited in claim 32; that the device that engages the mechanism comprises a pin as recited in claim 33; that the vehicle steering head further comprises a mudguard as recited in claim 38; that the locking member moves in a direction that is parallel to an axis of the connecting member as recited in claim 39; that the connecting member is mounted to the support tube via upper and lower bearing supports as recited in claim 40; that the mechanism moves when the connecting member moves as recited in claim 41; that the locking member moves in a direction that is parallel to an axis of the connecting element as recited in claim 43; that the mechanism moves when the connecting element moves as recited in claim 44; and that the locking member comprises a pin as recited in claim 46.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

Over Chi and Kassai

Applicant traverses the rejection of claims 34-36 and 54 under 35 U.S.C. § 103(a) as being unpatentable over CHI in view of US patent 4,714,261 to KASSAI.

The Examiner asserted that CHI teaches all of the claimed features except for the recited locking mechanism. However, the Examiner asserts that KASSAI teaches this feature and that it would have been obvious to combine the teachings of these documents. Applicant respectfully traverses this rejection and the Examiner's assertions.

Applicant respectfully submits that this rejection is improper because no proper combination of CHI and KASSAI discloses or suggests: inter alia, a support tube fixed to the frame of the tricycle, a mechanism that limits rotational movement of the connecting element, the mechanism comprising at least two stop surfaces, a locking system that prevents rotational movement of the connecting element, the locking system comprising a movable engaging member and an opening that can receive the engaging member and which can rotate with the connecting element, wherein the opening is arranged on the mechanism, as recited in amended independent claim 34; and inter alia, a support tube fixed to the frame of the tricycle, a mudguard, a movement limiting system that limits rotational movement of the connecting element in each of two directions, the movement limiting system comprising one part arranged on the mudguard and another part arranged on the lower bearing support, and a locking system which can be moved by a user, as recited in amended independent claim 54.

As explained above, Applicant does not dispute, for example, that CHI discloses a steering head which utilizes a support tube 31, upper and lower bearing supports 32, a connecting element 30 and a wheel fork (see Fig. 2). However, Applicant submits that Chi relates to a bicycle and not to a tricycle (see col. 1, line 64). Thus, CHI cannot disclose or suggest a support tube fixed to the frame of the tricycle. Moreover, as acknowledged by

P24187.A08

the Examiner, this document contains no disclosure with regard to a locking mechanism or to a mechanism which limits rotational movement of the connecting element.

Applicant also does not dispute, for example, that KASSAI discloses a steering head which utilizes what could arguable be called a support tube, a connecting element 25, a locking device for locking the steering, and a limited turning system (see Figs. 2, 5 and 6). However, Applicant submits that KASSAI does not relate to a tricycle and does not disclose or suggest a support tube fixed to the frame of the tricycle, much less, the features acknowledged to be missing in CHI.

In particular, Applicant submits that no proper combination of CHI and KASSAI discloses or suggests a mechanism that limits rotational movement of the connecting element, the mechanism comprising at least two stop surfaces and a locking system that prevents rotational movement of the connecting element, the locking system comprising a movable engaging member and an opening that can receive the engaging member and which can rotate with the connecting element, wherein the opening is arranged on the mechanism, as recited in amended independent claim 34. As the Examiner will note, for example, the opening 31 which receives the locking member 34 is arranged on the vehicle body 20 and does not rotate with the connecting element 25.

Applicant further additionally also submits that no proper combination of CHI and KASSAI discloses or suggests a mudguard, a movement limiting system that limits rotational movement of the connecting element in each of two directions, the movement limiting system comprising one part arranged on the mudguard and another part arranged on the lower bearing support; and a locking system which can be moved by a user, as

P24187.A08

recited in claim 54. Applicant notes that neither CHI nor KASSAI relate to a tricycle. Nor do either of these documents disclose or suggest a mudguard, much less, the movement limiting system comprising one part arranged on the mudguard and another part arranged on the lower bearing support. Applicant notes, for example, that KASSAI does not even teach using upper and lower bearing supports.

Thus, even if these documents were properly combined, which Applicant submits they cannot be, they would nevertheless lack features which are recited in at least the above-noted independent claims. Moreover, Applicant submits that each of these documents fails to disclose or suggest the requisite motivation or rationale for combining these documents in the manner asserted by the Examiner. Finally, Applicant submits that KASSAI fails to cure the deficiencies lacking in CHI, and vice versa.

Finally, Applicant submits that claims 35 and 36 are allowable at least for the reason that these claims depend from an allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of CHI and KASSAI discloses or suggests: that the engaging member can move between a first position that allows the connecting element to rotate in each of two directions and a second position wherein the connecting element is prevented from rotational movement in each of the two directions as recited in claim 35; and that the engaging member can move from a first position to a second position, wherein, in the first position, the connecting element can rotate in each of two directions and wherein, in the second position, the engaging member enters the opening and the connecting element is prevented from rotational movement in each of the two directions as recited in claim 36.

P24187.A08

Accordingly, Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

New Claims are also Allowable

Applicant submits that the new claims 55-71 are allowable over the applied art of record. Specifically, claims 55-71 recite a combination of features which are clearly not disclosed or suggested by the applied art of record.

Accordingly, Applicant respectfully requests consideration of these claims and further request that the above-noted claims be indicated as being allowable.

CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious Applicant's invention, as recited in each of the pending claims.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

P24187.A08

Please charge any additional fees necessary for consideration of the papers filed herein and refund excess payments to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,
KETTLER et al.

A handwritten signature in black ink, appearing to read 'Neil F. Greenblum', with a long horizontal flourish extending to the right.

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